

## REMARKS

### I. INTRODUCTION

As examined, the present invention had two pending claims, the claims 1 and 2. By this Response, new claims 3-20 have been added to the present application. Applicants will demonstrate that claims 1 and 2, as amended, and new claims 3-20 are allowable over U.S. Patent No. 6,156,433 to Hatori et al. ("Hatori") and U.S. Patent No. 5,507,404 to Ryu et al. ("Ryu"), the two prior art references relied on by the Examiner in rejecting claims 1 and 2 in the Office Action dated July 21, 2005. The Examiner has relied on Hatori in rejecting claim 1 for anticipation under 35 U.S.C. §102 and Ryu in rejecting claim 2 also for anticipation.

The legal standard for determining anticipation under 35 U.S.C. §102 is that the prior art reference being relied upon must teach each and every element of the claims in the same way. The standard for sustaining a rejection is that a single prior art reference must disclose each and every limitation of the claim. *See, e.g., Schering Corp. v. Geneva Pharms., Inc.*, 339 F.3d 1373, 1377 (Fed. Cir. 2003); *Trintic Industries, Inc. v. Top-USA Corp.*, 295 F.3d 1292-1295 (Fed. Cir. 2002); *Brown v. 3M*, 265 F.3d 1349-1351 (Fed. Cir. 2001). Applicants will demonstrate that if the Examiner properly applies this legal standard to the pending claims 1-20, these claims are allowable in view of Hatori and Ryu. As such, the anticipation rejections should be withdrawn, thereby placing the present invention in condition for allowance.

In this Response, Applicants have also provided certain amendments to the specification. These amendments are to correct typographical errors in the specification and do not add the matter.

### II. THE PRESENT INVENTION

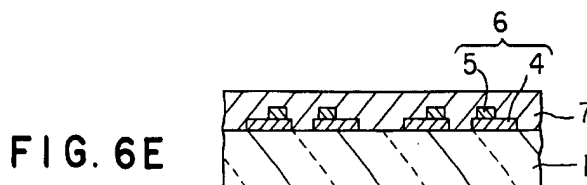
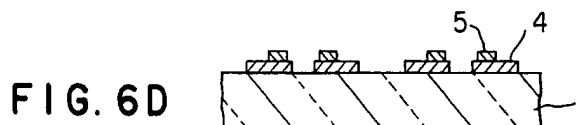
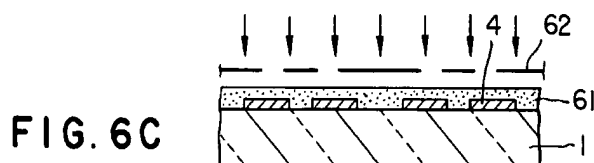
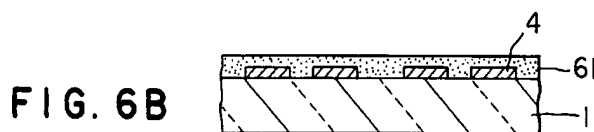
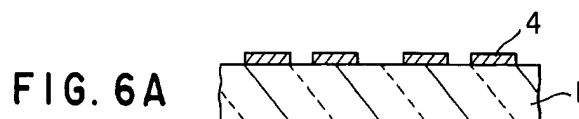
The present invention is directed to "A Soft Lithographic Process for Fabricating Integrated ITO Electrodes-Liquid Crystal Alignment Layers." As shown in Figures 6 and 7, the process of the present invention may be performed using flexible substrates that are passed through series of rollers. The micromolding and microprinting methods being performed according to the claims for forming passive matrix displays are substantially

different from the methods that are described in the prior art record, Hatori and Ryu, because of the use of flexible backing and polarizing film disposed on the backing.

III. HATORI DOES NOT ANTICIPATE CLAIMS 1-20

The Examiner has rejected claim 1 for anticipation based on Hatori. In particular, the Examiner has cited what is disclosed in Figure 6 of Hatori as including each and every element of claim 1 of the present application. Applicants submit that this is an incorrect conclusion. The disclosure of Hatori that is directed to Figure 6 is associated with Example A5 at Column 31, line 7. The structure that is being formed according to Example A5 is for the development of only rigid displays elements. To this point, Hatori states:

At the outset, as shown in FIG. 6A, a first layer is formed using a transparent conductive film having a predetermined shape of a glass plate 1 serves as a front plate. That is, a transparent electrode as a sustaining electrode 4 is formed. [Emphasis added.] [Hatori, Col. 31, lines 8-12]



The description that follows the quotation above describes the series of steps that result in the composite structure with electrode 6 disposed on glass plate 1. This electrode includes elements 4 and 5, where 4 is the sustaining electrode, which may be ITO, and 5 is the bus electrode, which may be a ultraviolet curable material containing photosensitive material and metallic powder.

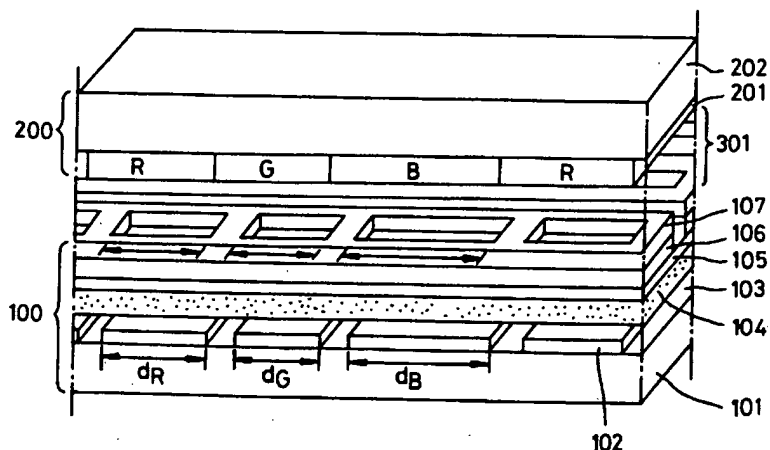
The description of the process relating to Figure 6 of Hatori does not anticipate the steps of claim 1, as amended, given that claim 1 includes steps that as performed using a flexible substrate and conforming flexible polarizing material as clearly described with respect to Figures 6 and 7. Thus, Hatori does not anticipate the invention of claim 1. Moreover, there is no contemplation that the teachings of Hatori would be applied to

techniques for forming displays on flexible substrates. Thus, Hatori also would not render the invention of claim 1 obvious. Last, for the same reasons Hatori would not anticipate claim 1, it also would not anticipate or render obvious claims 3 to 20 if the Examiner should decide to raise Hatori as a basis for rejecting these claims.

The Examiner has rejected claim 2 for anticipation based on Ryu. The Examiner has not cited any particular portion of Ryu to support the rejection. Rather, the Examiner has stated a general rejection based on reference. Applicants submit that similar to Hatori, Ryu does not disclose a method for making flexible structures as is set forth in claim 2 or new claims 3-20.

Figure 2 of Ryu shows a representative structure according to this patent. Figure 2 is shown below:

FIG. 2



According to Ryu, the structure of the EL (electroluminescence) display element has two end plates 101 and 202. In the pertinent part, it states:

FIG. 2 is a cross-sectional view of the color EL display element according to the present invention. Referring to FIG. 2, the color EL display element according to the present invention is provided with a glass substrate 101, a metal electrode 102, a first insulating layer 103, a light-emitting layer 104, a second insulating layer 105, a transparent electrode 106, an auxiliary metal electrode 107, silicon oil 301, a color filter 201, and a circular polarizing plate 202. [Emphasis added.] [Ryu, Col. 3, lines 38-45]

The quotation immediately above provides a sandwich structure in which both ends are formed from rigid plates. There is no disclosure in Ryu that would anticipate the method of forming the structure according to the present invention as discussed above. Therefore, the method of Ryu does not include each of the elements of claim 2 and, as such, claim 2 cannot be anticipated under the legal standard recited above. Noting this, the Examiner should withdraw the anticipation rejection to claim 2 based on Ryu. Moreover, there is no teaching, suggestion, or motivation in Ryu that would render claim 2 obvious. Further, given the elements of new claims 3 to 20, they are distinguishable from Ryu for the same reasons as claim 2 and, as such, this reference should not form a basis for either an anticipation or obviousness rejection.

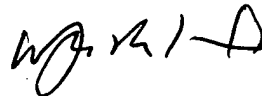
Noting the foregoing in this Section III, Applicants have traversed each of the Examiner's bases for rejection of claims 1 and 2, as amended, based on Hatori and Ryu, respectively. Applicants have also shown that it would be inappropriate for the Examiner to raise either Hatori or Ryu as a basis for rejecting claims 3-20 for anticipation or obviousness.

**Conclusion**

Based on this Response, claims 1-20 are now pending in the present application. Applicants have demonstrated herein that the anticipation rejections raised by the Examiner against claim 1 based on Hatori and claim 2 based on Ryu have been overcome and should be withdrawn. Applicants have also shown that the Examiner should not raise an anticipation or obviousness rejection based on Hatori or Ryu against new claims 3-20. Therefore, each of the claims pending in the present application is in condition for allowance. Reconsideration and allowance of the claims are respectfully requested.

Dated: 1-23-06

Respectively submitted,



Wayne M. Kennard  
Registration No. 30, 271  
Attorney for Applicants

WilmerHale LLP  
60 State Street  
Boston, MA 02109  
Tel: 617-526-6183  
Fax: 617-526-5000